

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
ABILENE DIVISION

JOHN DeLEON,

Plaintiff,

V.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Civil Action No. 1:16-CV-044-C

ORDER

Plaintiff filed a complaint against the Commissioner of Social Security, but the Commissioner was never served, as required by Federal Rule of Civil Procedure 4. DeLeon then failed to comply with an order by the United States Magistrate Judge directing him to properly serve the Commissioner or show cause why service could not be made. The United States Magistrate Judge entered a Report and Recommendation, recommending that DeLeon's complaint be dismissed for failure to serve the Commissioner. DeLeon has not filed written objections.

It is, therefore, **ORDERED** that the findings and conclusions in the Report and Recommendation are hereby **ADOPTED** as the findings and conclusions of the Court and that the above-styled and -numbered cause is hereby **DISMISSED without prejudice**.

Dated this 30th day of August, 2016.

SAM R. CUMMINGS
SENIOR UNITED STATES DISTRICT JUDGE